

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

JOSEPH JURKENAS, et al.,)
)
Plaintiffs)
)
v.) 1:20-cv-00183-JCN
)
CITY OF BREWER, et al.,)
)
Defendants)

**ORDER ON MOTION FOR RECONSIDERATION AND
MOTION FOR CLARIFICATION**

Plaintiffs ask the Court to reconsider its order granting summary judgment in favor of Defendants. (Motion, ECF No. 87.) Plaintiffs also ask the Court to clarify the status of the pretrial conference that had been scheduled. (Motion, ECF No. 89.) After consideration of Plaintiffs' submissions and the record, the Court denies the motion for reconsideration and grants the request for clarification.

“A motion for reconsideration is not a vehicle to force the court to think twice; it is not an opportunity for the losing party simply to press his unsuccessful arguments a second time in the hope that, by repetition, the court will see it that way. *Int'l Ass'n of Machinists & Aerospace Workers v. Verso Corp.*, 121 F. Supp. 3d 201, 217 (D. Me. 2015) (internal quotation marks and citations omitted). “Ordinarily, a motion for reconsideration is appropriate only if a moving party presents newly discovered evidence, if there has been an intervening change in the law, or if the moving party can demonstrate that the original

decision was based on a manifest error of law or was clearly unjust.” *In re Hannaford Bros. Co. Customer Data Sec. Breach Litig.*, 660 F. Supp. 2d 94, 97 (D. Me. 2009).

Here, Plaintiffs do not cite any new record evidence or change in the relevant law. Rather, Plaintiffs essentially restate the basic arguments they asserted in support of their request for summary judgment and in opposition to Defendants’ request for summary judgment. Plaintiffs, therefore, have not established that reconsideration is warranted.

As to Plaintiffs’ request for clarification, the pretrial conference was scheduled before the Court issued its decision on Defendants’ request for summary judgment. The Court subsequently granted Defendants’ request for summary judgment on Plaintiffs’ remaining claim. Because the Court entered judgment in favor of Defendants, no claims remain for trial. Accordingly, there is no need for a pretrial conference.

SO ORDERED.

/s/ John C. Nivison
U.S. Magistrate Judge

Dated this 28th day of February, 2022.